Response to DEQ’s proposed penalty for I-66 erosion & sediment control violations:

The $24,375 penalty is the equivalent of a mosquito bite on a rhinoceros. This rhinoceros has been wallowing in the headwaters of Accotink Creek since 2018, turning the area into a strip of mud, buried streams, and smothering sediment flowing into the tributary streams.

These miniscule penalties do not begin to incentivize adherence to the standards that will preserve the health of the waters of Virginia. They will not begin to provide the many millions of dollars the Commonwealth and localities will have to expend in restorative efforts to undo the harm.

Further, the Friends of Accotink Creek:

- Call for regular inspections to be paid for by contractors, but conducted or contracted by DEQ
- Urge that inspections be conducted on foot and not from vehicle alone
- Urge that inspections include observations from outside of work zones
- Call for VDOT to engage with Fairfax County Stormwater Planning Division on stormwater upgrades the Division has requested.
- Call for VDOT to engage with the Fairfax County Restoration Project and with Plant NOVA Natives on replanting with suitable native species.
- Call for all culverts enclosing perennial streams (and the approaches to the culverts) be made adequate for fish passage, in compliance with the plain language in each and every permit to work in waterways:
  - “Aquatic Life Movements: No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area…”
- Call for all stormwater ponds to be designed as wetland habitats with viable connections to habitat corridors and stocked with appropriate wetland flora and fauna
- Call for a substantial portion of the Mosby Woods tributary that flows through the Chain Bridge Road interchange to be returned to daylight. (We cannot be reconciled to the environmental defilement that was wrought by the burial of this perennial fish-filled stream in eternal darkness.)
- Call for the Nutley Street interchange to daylight some portion of the Hunter Branch tributary that passes through it.
- Call for resolution of two lingering 495 Express Lanes issues adjacent to the 236 interchange –
  - Damage to a natural spring
  - Erosion on a connection to the Cross County Trail
- Call for completion of the unfinished replanting in the Barta Road/Fairfax County Parkway interchange.
- Call for immediate incorporation of the principles of the 2020 Virginia Wildlife Corridor Action Plan into all pending projects.
Question whether it is just unfortunate force of habit with VDOT that mandates clearing everything as a matter of course? Could it not just as easily be the standard practice to preserve everything not in the direct path of construction?